

SENATE No. 946

The Commonwealth of Massachusetts

PRESENTED BY:

John A. Hart, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to gang violence.

PETITION OF:

NAME:

John A. Hart, Jr.

DISTRICT/ADDRESS:

First Suffolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S01387 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO GANG VIOLENCE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 265 of the General Laws is hereby amended by inserting after
2 section 13L the following section:-

3 Section 13M. For the purposes of this section, the following words shall have the following
4 meanings:—

5 “Gang assault and battery”, assault and battery when aided by three or more persons actually
6 present.

7 “Serious bodily injury”, bodily injury which results in a permanent disfigurement, protracted loss
8 or impairment of a bodily function, limb or organ, or substantial risk of death.

9 (a) Whoever commits a gang assault and battery upon another person and by such assault
10 and battery causes bodily injury shall be punished by imprisonment punished by imprisonment in

11 a house of correction for not more than 3 years, or by a fine of not more than \$2,500, or both
12 such fine and imprisonment.

13 (b) Whoever commits a gang assault and battery upon another person and by such assault
14 and battery causes serious bodily injury shall be punished by imprisonment punished by
15 imprisonment in a house of correction for not more than 5 years, or by a fine of not more than
16 \$5000, or both such fine and imprisonment.